



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/666,892
Filing Date: September 17, 2003
Applicant: Hong-Yi Hubert Chen et al.
Group Art Unit: 2186
Examiner: Hetul B. Patel
Title: MEMORY MAPPED REGISTER FILE AND METHOD
FOR ACCESSING THE SAME
Attorney Docket: MP0393

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

10/09/2007 AAH:AD1 00000057 10666892
02 FC:1454 1410.00 07

**PETITION TO ACCEPT AN UNINTENTIONALLY DELAYED CLAIM BENEFIT UNDER
35 U.S.C. 120 AND 35 U.S.C. 119(e) OF PRIOR FILED APPLICATION AND
PROVISIONAL APPLICATION (37 C.F.R. 1.78(a)(3) and 1.78(a)(6))**

NOTE: 37 C.F.R. 1.78(a): "(3) If the reference required by 35 U.S.C. 120 and paragraph (a)(2) of this section is presented after the time period provided by paragraph (a)(2)(ii) of this section, the claim under 35 U.S.C. 120, 121, or 365(c) for the benefit of a prior-filed copending nonprovisional application or international application designating the United States of America may be accepted if the reference identifying the prior-filed application by application number or international application number and international filing date was unintentionally delayed. A petition to accept an unintentionally delayed claim under 35 U.S.C. 120, 121, or 365(c) for the benefit of a prior-filed application must be accompanied by:

- (i) The reference required by 35 U.S.C. 120 and paragraph (a)(2) of this section to the prior-filed application, unless previously submitted; (Added 12/28/01);
- (ii) The surcharge set forth in § 1.17(t); and (Revised 12/28/01);
- (iii) A statement that the entire delay between the date the claim was due under paragraph (a)(2)(ii) of this section and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional. (Revised 5/1/03)

(5)(i) Any nonprovisional application or international application designating the United States of America claiming the benefit of one or more prior-filed provisional applications must contain or be amended to contain a reference to each such prior-filed provisional application, identifying it by the provisional application number (consisting of series code and serial number).

(ii) This reference must be submitted during the tendency of the later-filed application. If the later-filed application is an application filed under 35 U.S.C. 111(a), this reference must also be submitted within the later of four months from the actual filing date of the later-filed application or sixteen months from the filing date of the prior-filed provisional application. If the later-filed application is a nonprovisional application which entered the national stage from an international application after compliance with 35 U.S.C. 371, this reference must also be submitted within the later of four months from the date on which the national stage commenced under 35 U.S.C. 371(b) or (f) in the later-filed international application or sixteen months from the filing date of the prior-filed provisional application. If the later-filed application is a nonprovisional application which entered the national stage from an international application after compliance with 35 U.S.C. 371, this reference must also be submitted within the later of four months from the date on which the national stage commenced under 35 U.S.C. 371(b) or (f) in the later-filed international application or sixteen months from the filing date of the prior-filed provisional application. These time periods are not extendable. Except as provided in paragraph (a)(6) of this section, the failure to timely submit the reference is considered a waiver of any benefit under 35 U.S.C. 119(e) to such prior-filed provisional application. The time periods in this paragraph do not apply if the later-filed application is:

(A) An application filed under 35 U.S.C. 111(a) before November 29, 2000; or

(B) A nonprovisional application which entered the national stage after compliance with 35 U.S.C. 371 from an international application filed under 35 U.S.C. 363 before November 29, 2000.

(iii) If the later-filed application is a nonprovisional application, the reference required by this paragraph must be included in an application data sheet (§ 1.76), or the specification must contain or be amended to contain such reference in the first sentence following the title.

(6) If the reference required by 35 U.S.C. 119(e) and paragraph (a)(5) of this section is presented in a nonprovisional application after the time period provided by paragraph (a)(5)(ii) of this section, the claim under 35 U.S.C. 119(e) for the benefit of a prior-filed provisional application may be accepted during the pendency of the later-filed application if the reference identifying the prior-filed application by provisional application number was unintentionally delayed. A petition to accept an unintentionally delayed claim under 35 U.S.C. 119(e) for the benefit of a prior-filed provisional application must be accompanied by:

- (i) The reference required by 35 U.S.C. 119(e) and paragraph (a)(5) of this section to the prior-filed provisional application, unless previously submitted;
- (ii) The surcharge set forth in § 1.17(t); and
- (iii) A statement that the entire delay between the date the claim was due under paragraph (a)(5)(ii) of this section and the date the claim was filed was unintentional. The commissioner may require additional information where there is a question whether the delay was unintentional."

1. Applicant further petitions in accordance with § 1.78(a)(3) and 1.78(a)(5)(i) to claim the benefit for this application under 35 U.S.C. § 120 of prior co-pending U.S. Patent Application 10/627,269, filed July 25, 2003, which claims the benefit under 35 U.S.C. 119(e) of U.S. Provisional Application No. 60/468,802 filed on May 7, 2003.

2. Applicant submits herewith an amendment to the first paragraph, after the title of the application (1.78(a)(5)), making references in this application to prior filed applications whose benefit is claimed.

3. Applicant states that the entire delay between the date the claim for the benefit of the earlier application was due under paragraph (a)(3) and (a)(5)(i) of 37 C.F.R. § 1.78 and the date this claim is filed was unintentional.

4. The surcharge fee set forth in § 1.17(t), required by 37 C.F.R. 1.78(a)(6)(ii), is paid as follows:

Attached is a check money order in the amount of \$1,410.00

Authorization is hereby made to charge the amount of \$1,410.00

to Deposit Account No. _____

to Credit Card as shown on the attached credit card information authorization form PTO-2038

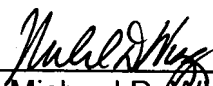
WARNING: Credit card information should not be included on this form as it may become public

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

Respectfully submitted,

Dated: October 4, 2007
HARNES, DICKEY & PIERCE, P.L.C.
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By: 
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